



CITY OF NORFOLK  
OFFICE OF THE MAYOR

PAUL D. FRAIM  
MAYOR

September 11, 2015

The Honorable Angelia Williams Graves  
The Honorable Mamie B. Johnson  
The Honorable Andrew A. Protogyrou  
The Honorable Paul R. Riddick  
The Honorable Thomas R. Smigiel, Jr.  
The Honorable Theresa W. Whibley  
The Honorable Barclay C. Winn

Ladies and Gentlemen:

Pursuant to Section 12 of the City Charter, I hereby call a special meeting of the Council to meet at 4:00 P.M., September 15, 2015, in the 10<sup>th</sup> floor conference room at City Hall for a Regular Meeting.

Thank you,

A handwritten signature in black ink, appearing to read "Paul D. Fraim".

Paul D. Fraim  
Mayor

cc: Mr. Marcus Jones, City Manager  
Mr. Bernard A. Pishko, City Attorney  
Mr. R. Breckenridge Daughtrey, City Clerk



**CITY OF NORFOLK  
OFFICE OF THE MAYOR**

Paul D. Fraim  
Mayor

September 11, 2015

The following meetings will take place on Tuesday, September 15, 2015:

1. 4:00 P.M. Council to meet with representatives of the Virginia First Cities Coalition, 10<sup>th</sup> floor small conference room.
2. 5:00 P.M. Council to assemble in the 10<sup>th</sup> floor conference room at City Hall for a Regular Meeting.
3. 7:00 P.M. Regular Council Meeting.

## **NORFOLK, VIRGINIA**

### **DOCKET FOR THE COUNCIL**

**TUESDAY, SEPTEMBER 15, 2015 – 7:00 P.M.**

Prayer to be offered by Vice Mayor Angelia Williams Graves, followed by the Pledge of Allegiance.

### **PUBLIC HEARINGS**

PH-1

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **West Norfolk Marketplace, LLC**, for **a)** an amendment to the future land use designation in the General Plan, *plaNorfolk2030*, from Multifamily Corridor to Commercial at **1209 West 26<sup>th</sup> Street**, **b)** an amendment to the future land use designation in the General Plan, *plaNorfolk2030*, from Industrial to Commercial at **2330 Bowdens Ferry Road** and **c)** for a change of zoning from I-1 (Limited Industrial) District, I-3 (General Industrial) District, and C-2 (Corridor Commercial) District to Conditional C-2 (Corridor Commercial) District on property located at **2315, 2401, 2419, 2501, 2517 2601, 2605, and 2613 Hampton Boulevard, 1250 West 24<sup>th</sup> Street, 1215, 1217, 1221, and 1225 West 25<sup>th</sup> Street, 1204, 1207 and 1209 West 26<sup>th</sup> Street, and 2330 Bowdens Ferry Road.**

PH-2

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Noah Bachow**, **a)** for a Zoning text amendment to repeal Section 11-42, "Green Gifford Localized Sign Overlay District," of the *Zoning Ordinance* and **b)** for a change of zoning from C-4 (Large Scale Commercial) and Green Gifford Localized Sign Overlay Districts to Conditional C-2 (Corridor Commercial) District.

PH-3

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **George Yancey**, for a change of zoning to modify the conditions on property zoned Conditional HC-G3 (Ghent Historic and Cultural Conservation District) on property located at **1201 Colonial Avenue.**



PH-4

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on authorizing the Sale to the City of Suffolk of a certain parcel of property located at the intersection of **King's Fork Road and Waters Road in the City of Suffolk**, Virginia, for the sum of \$35,000.00, and approving the Purchase and Sale Agreement.

PH-5

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on approving the Sublease to Portsmouth Community Health Center, Inc., ("PCHC"), upon certain conditions, of a portion of certain property located at **3755 Virginia Beach Boulevard**, leased by the City of Norfolk for its Community Services Board ("NCSB"), and authorizing the City Manager to negotiate and execute a Sublease Agreement on behalf of the City.

PH-6

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on approving a Land Disposition and Development Contract between the City of Norfolk, as Seller, and St. Paul's Apartments, L.P., as Purchaser, for real property consisting of 4.54 acres, more or less, and located at **St. Paul's Boulevard and Wood Street in the City of Norfolk**.

### **REGULAR AGENDA**

R-1

Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** to permit the operation of an automobile and truck repair facility named 'Bud's Used Tires and Brake Services' on property located at **3345 North Military Highway**," will be introduced in writing and read by its title.

R-2

Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** authorizing the operation of an entertainment establishment known as 'MP Island Café' on property located at **5957 East Virginia Beach Boulevard, Suites 5, 6, and 7**," will be introduced in writing and read by its title.

R-3 Letter from the City Manager and the following two Ordinances:

An Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an entertainment establishment named ‘Smartmouth Brewing Company’ on property located at **1309 Raleigh Avenue**,” will be introduced in writing and read by its title.

R-3A An Ordinance entitled, “An Ordinance granting a **Special Exception** to permit the operation of a microbrewery named ‘Smartmouth Brewing Company’ on property located at **1309 Raleigh Avenue**,” will be introduced in writing and read by its title.

R-4 Letter from the City Manager and the following two Ordinances:

An Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an eating and drinking establishment named ‘Lemongrass Grille’ on property located at **725 West 21<sup>st</sup> Street**,” will be introduced in writing and read by its title.

R-4A An Ordinance entitled, “An Ordinance granting a **Pedestrian Commercial Overlay Development Certificate** permitting alterations to a building to create an outdoor dining space on property located at **725 West 21<sup>st</sup> Street**,” will be introduced in writing and read by its title.

R-5 Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an eating and drinking establishment named ‘Legrand Kitchen’ on properties located at **4513-4515 Colley Avenue**,” will be introduced in writing and read by its title.

R-6 Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to permit the construction of a fence on property located at **231 West Balview Avenue**,” will be introduced in writing and read by its title.



- R-7 Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an eating and drinking establishment named ‘Hair of the Dog Eatery’ on property located at **4820 Hampton Boulevard, Suites B and C,**” will be introduced in writing and read by its title.
- R-8 Letter from the City Manager and the following two Ordinances:
- An Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the sale of alcoholic beverages for off-premises consumption at an establishment known as ‘7-Eleven’ on property located at **735 East Ocean View Avenue,**” will be introduced in writing and read by its title.
- R-8A An Ordinance entitled, “An Ordinance granting a Special Exception to permit a convenience store, 24-hours (with fuel sales) known as ‘7-Eleven’ on property located at **735 East Ocean View Avenue,**” will be introduced in writing and read by its title.
- R-9 Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to permit a convenience store, 24-hours (with fuel sales) known as ‘7-Eleven’ on property located at **3805 Colley Avenue,**” will be introduced in writing and read by its title.
- R-10 Letter from the City Manager and an Ordinance entitled, “An Ordinance permitting Baxter’s to encroach into the City’s Right of Way on Bute Street and approving a third amended Encroachment Agreement with Granby Restaurants, L.L.C., t/a Baxter’s, for property at **500 Granby Street,**” will be introduced in writing and read by its title.
- R-11 Letter from the City Manager and an Ordinance entitled, “An Ordinance to revoke the permission granted to **Sweet Teas Norfolk LLC** to encroach into the right of way of Granby Street at **345 Granby Street** for the purpose of outdoor dining,” will be introduced in writing and read by its title.
- R-12 Letter from the City Manager and an Ordinance entitled, “An Ordinance permitting **245 Granby Street LLC** to encroach into the right of way of Boush Street and Tazewell Street, with a fire escape, a stair, cornices, awnings and pilasters,” will be introduced in writing and read by its title.

- R-13 Letter from the City Manager and an Ordinance entitled, "An Ordinance permitting the **Hermitage Foundation** to encroach into the right of way of Hampton Boulevard with two two-way finding signs," will be introduced in writing and read by its title.
- R-14 Letter from the City Manager and an Ordinance entitled, "An Ordinance approving a Nonexclusive Conduit Construction Franchise Agreement with **CenturyLink Communications, LLC**," will be introduced in writing and read by its title.
- R-15 Letter from the City Manager and an Ordinance entitled, "An Ordinance approving a Nonexclusive Telecommunications Franchise Agreement with **Cavalier Telephone, L.L.C.**," will be introduced in writing and read by its title.
- R-16 Letter from the City Manager and an Ordinance entitled, "An Ordinance to amend and reordain Sections 25-653 and 25-654 of the **Norfolk City Code, 1979**, **SO AS TO** add twenty-seven new yield intersections and five new stop intersections," will be introduced in writing and read by its title.
- R-17 Letter from the City Manager and an Ordinance entitled, "An Ordinance accepting the donation of \$27,000.00 to the City from the Hampton Roads Sanitation District and appropriating and authorizing the expenditure of the \$27,000.00 for the construction of the **Lavalette Avenue Canoe/Kayak Launch and Fishing Dock**," will be introduced in writing and read by its title.
- R-18 Letter from the City Manager and an Ordinance entitled, "An Ordinance approving a lease of certain property located at **910 Ballentine Boulevard** from the Norfolk Redevelopment and Housing Authority, and authorizing the City Manager to negotiate and execute a Lease Agreement on behalf of the City," will be introduced in writing and read by its title.
- R-19 Letter from the City Manager and an Ordinance entitled, "An Ordinance approving the acceptance of the **Norfolk Adult Drug Treatment Court Grant Award** of \$250,000 from the Supreme Court of Virginia for the Adult Drug Court Program and program fees up to \$10,000 and appropriating the Grant Funds and program fees and authorizing expenditure of \$78,750 from previously appropriated funds as a local cash match," will be introduced in writing and read by its title.



- R-20 Letter from the City Manager and an Ordinance entitled, "An Ordinance accepting a \$45,000.00 **Virginia Sexual and Domestic Violence Victims Fund Grant Award from the Virginia Department of Criminal Justice Services** for the support of personnel costs for a program paralegal to assist in the prosecution of misdemeanors and felonies involving domestic violence, sexual abuse, stalking and family abuse and appropriating and authorizing the expenditure of Grant Funds for payroll, medical benefit coverage and retirement expenses for the program employee," will be introduced in writing and read by its title.
- R-21 Letter from the City Manager and an Ordinance entitled, "An Ordinance accepting a \$347,162.00 **Victim Witness Grant Award** from the **Virginia Department of Criminal Justice Services** for the continuation of the Victim/Witness Assistance Program, appropriating and authorizing the expenditure of the Grant Funds for the program and authorizing the hiring of eight (8) people for the program in a special project employment status," will be introduced in writing and read by its title.
- R-22 Letter from the City Attorney and an Ordinance entitled, "An Ordinance to amend and reordain the **Code of the City of Norfolk, 1979**, to add a new Subsection (F) to City Code Section 34.1-60 to authorize taxicabs to contract for additional charges for additional services," will be introduced in writing and read by its title.
- R-23 Letter from the City Attorney and an Ordinance entitled, "An Ordinance to amend and reordain Subsection (C) of Section 29-70.1 of the **Norfolk City Code, 1979**, **SO AS TO** restrict the volume of small performances in late evening hours," will be introduced in writing and read by its title.
- R-24 Letter from the City Manager and an Ordinance entitled, "An Ordinance to **change the starting time of the regular weekly City Council meeting** scheduled for Tuesday, September 22, 2015 at 7:00 p.m. to September 21, 2015, at 8:30 a.m. and to move the location of said meeting," will be introduced in writing and read by its title.



R-25

Letter from the City Manager and an Ordinance entitled, "An Ordinance approving the Conveyance to the City of Norfolk by Norfolk Redevelopment and Housing Authority of certain parcels of property located between **24<sup>th</sup> Street and 27<sup>th</sup> Street** that are currently part of the **Lambert's Point Redevelopment Project** and authorizing the City Manager to accept the Deed on behalf of the City," will be introduced in writing and read by its title.